

**§6-335 FIREWORKS DEFINITIONS.**

For the purpose of this chapter the following words shall have the following meanings:

Fireworks shall mean any combustible or explosive composition, or any substance or combination of substances, or articles prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation and which meets the definition of common or special fireworks set forth by the United States Department of Transportation in Title 49, Code of Federal Regulations.

Permissible fireworks shall mean any permissible or consumer firework authorized by the laws of the State of Nebraska as safe for general use.

Retailer shall mean any person engaged in the business of making sales of fireworks at retail.

Sale shall include barter, exchange, or gift, or offer therefor, and each such transaction made by any person, whether as principal, proprietor, agent servant, or employee.

Sky Lanterns shall mean devices that require a flame which produces heated air trapped in a balloon-type covering allowing the device to float in the air. Sky lanterns shall not include hot-air balloons used for transporting persons.

The provisions of this section shall not apply to any fireworks to be used for the purpose of public exhibitions or display under authorization of the Governing Body or to fireworks furnished for agricultural purposes pursuant to written authorization from the State Fire Marshal. (Ref. 28-1241, 28-1244, 28-1245, 28-1247, RS Neb. 1943) (Ord. 1407, 6/23/98; 1948, 10/20/15)

**§6-336 FIREWORKS; SALE AND USE OF SKY LANTERNS PROHIBITED;**

**UNLAWFUL ACTS.** Fireworks commonly known as sky lanterns shall not be permissible fireworks within the City of Crete, notwithstanding any action by the State Fire Marshal to the contrary, and it shall be unlawful for any person to sell at retail, offer for sale at retail, discharge, explode, or use any of said fireworks within the city. (Ord. 1407, 6/23/98; 1948, 10/20/15)

**§6-337 FIREWORKS; HOURS OF SALE.** Conditioned upon payment of the Occupation Tax required to be paid by Section 10-901 of the City Code, fireworks permitted within the Municipality may be sold at retail from June 28 through July 4 of each year, during the following times:  
June 28 through July 2 - 8:00 A.M. to 10:00 P.M.  
July 3 - 8:00 A.M. to Midnight.  
July 4 - 8:00 A.M. to 11:00 P.M.

Any person or business operating as a retailer of permissible fireworks shall prominently post a sign at or near each cash register at the retailer's location displaying the fireworks sale and discharge periods specified in this section and in Section 6-338 of the City Code.

Ord. 1471, 10/19/99; Ord. 1548, 04/01/03)

**§6-338 FIREWORKS; DISCHARGE.** The discharge, exploding, or use of fireworks within the Municipality on any dates or times other than set out in this Section shall be unlawful.

A. The discharge, exploding, or use of fireworks within the Municipality shall be permitted only on the following dates and during the following hours:

1. June 28 through July 2 - 8:00 A.M. to 10:00 P.M.
2. July 3 - 8:00 A.M. to Midnight.
3. July 4 - 8:00 A.M. to 11:00 P.M.

B. It shall be unlawful, regardless of the date or time, for any person to discharge, fire, launch, or throw any fireworks or any object that is lighted to explode or that explodes upon contact with another object:

1. From or onto any motor vehicle;
2. Onto any street, highway, or sidewalk;

3. At or near any person;
4. Into or upon any building;
5. Into or at any group of persons; or,
6. At the location of and during the time of any pyrotechnics display authorized at a designated location by special permit under the ordinances of the Municipality, except by personnel authorized by said special permit.